

BILL NO. S-73-08-02

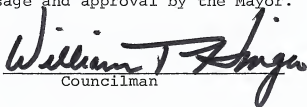
SPECIAL ORDINANCE NO. S- 87-93

AN ORDINANCE approving an agreement with AMERICAN THREAD COMPANY for fire protection on American Way.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. The agreement approved June 1, 1973, between the City of Fort Wayne, by and through its Mayor and the Board of Commissioners, Department of Public Safety and AMERICAN THREAD COMPANY, for fire protection on 2425 American Way, Allen County, Indiana for a total revenue of approximately \$1800.00 received by the City, all as more particularly set forth in said contract, which is on file in the office of the Department of Public Safety, and is by reference incorporated herein and made a part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.


Councilman

APPROVED AS TO FORM
AND LEGALITY


CITY ATTORNEY

Read the first time in full and on motion by Hungar, seconded by Talarico, and duly adopted, read the second time by title and referred to the Committee on Finance (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Chambers, City-County Building, Fort Wayne, Indiana, on _____, the _____ day of _____, 197_____, at _____ o'clock P.M., E.S.T.

Date: 8/14/73

Charles H. Westerman
CITY CLERK

Read the third time in full and on motion by Hungar, seconded by Talarico, and duly adopted, placed on its passage.
Passed (~~LOST~~) by the following vote:

	AYES <u>9</u>	NAYS <u>0</u>	ABSTAINED _____	ABSENT _____ to-wit:
BURNS	<u>✓</u>	_____	_____	_____
HINGA	<u>✓</u>	_____	_____	_____
KRAUS	<u>✓</u>	_____	_____	_____
MOSES	<u>✓</u>	_____	_____	_____
NUCKOLS	<u>✓</u>	_____	_____	_____
SCHMIDT, D.	<u>✓</u>	_____	_____	_____
SCHMIDT, V.	<u>✓</u>	_____	_____	_____
STIER	<u>✓</u>	_____	_____	_____
TALARICO	<u>✓</u>	_____	_____	_____

DATE: 8-28-73

Charles H. Westerman
CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (Zoning Map) (General) (Annexation) (Special) (Appropriation) Ordinance (Resolution) No. 8-87-73 on the 28th day of August, 1973.

ATTEST: (SEAL)

Charles H. Westerman
CITY CLERK

Winfield C. Moore Jr.
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 29th day of August, 1973, at the hour of 10.00 o'clock A. M., E.S.T.

Charles H. Westerman
CITY CLERK

Approved and signed by me this 29th day of August, 1973, at the hour of 4:00 o'clock P M., E.S.T.

James H. Redman Jr.
MAYOR

Bill No. S-73-08-02

REPORT OF THE COMMITTEE ON FINANCE

We, your Committee on Finance to whom was referred an Ordinance
approving an agreement with AMERICAN THREAD COMPANY
for fire protection on American Way

have had said Ordinance under consideration and beg leave to report back to the Common
Council that said Ordinance DO PASS.

William T. Hinga - Chairman

John Nuckols - Vice Chairman

James S. Stier

Samuel J. Talarico

Paul M. Burns

William T. Hinga
John Nuckols
James S. Stier
Samuel J. Talarico
Paul M. Burns

DATE 8-28-73 CONCURRED IN
CHARLES W. WESTERMAN, CITY CLERK

F I R E P R O T E C T I O N C O N T R A C T

This contract is entered into in duplicate this
1st day of June, 19 73, between the City
of Fort Wayne, Indiana, acting by and through its mayor and
Board of Commissioners, Department of Public Safety, ("CITY"),
and American Thread Company, a
New Jersey corporation having its principal place of
business in Stamford, Connecticut,
(" American Thread ").

WHEREAS, American Thread is the lessee
of certain improvements, upon real estate near but outside
the corporate limits of the CITY, described as follows:

2425 American Way, Allen County, Indiana

and, WHEREAS, American Thread desires
to be assured that fire protection by CITY is available at
its premises,

NOW, THEREFORE, in consideration of the premises
and the agreements of the parties, it is agreed as follows:

1. Upon the receipt by CITY's Fire Department of
a notification or signal that there is a fire on said premises
of American Thread, CITY shall cause the proper
firefighting station or stations to send such firefighting
equipment, materials, and personnel to American Thread
premises as it reasonably sends to other simi-
lar locations within the corporate limits of the CITY.

2. For the firefighting services provided for herein, American Thread shall pay to CITY the sum of One Dollar and Four Cents and Seven-Tenths of a Cent (\$.047) per One Hundred Dollars (\$100.00) of assessed valuation for tax purposes on the improvements situated upon the real estate so defined herein, which assessment is hereby agreed to be established at One-Hundred-Eighty-Four Thousand, Fifty Dollars (\$184,050.00), annually in advance of the 1st day of September, 19 73, commencing with the year 19 73, provided that, if American Thread premises should be annexed to CITY, no payment shall thereafter be required under this contract.

3. CITY shall cause its fire department personnel to inspect American Thread's building, equipment and facilities periodically, at mutually convenient times, to familiarize such personnel with said building, equipment, and facilities and American Thread's operations on its premises, so as to determine the types of fire which may reasonably be anticipated on American Thread's premises and so as to be able to render service commensurate with existing service conditions.

4. The obligations under this contract shall continue for a period of one year(s) from date of execution.

5. Notwithstanding the foregoing provisions, this contract shall not become effective until it shall have been signed by the Mayor and Clerk of CITY, and the members of the Board of Commissioners, Department of Public Safety

of CITY, and ratified and approved by the Common Council of CITY.

IN WITNESS WHEREOF, this agreement has been duly authorized and executed as of the date first above written by the duly authorized officers and representatives of the parties.

American Thread Company

BY:

David E. Howe
David E. Howe, Vice-President

ATTEST:

E. Peter Dulea
General Manager, Inventories and
Distribution Services

City of Fort Wayne, Indiana

BY:

Ivan A. Lebamoff
Ivan A. Lebamoff, Mayor

Board of Commissioners,
Department of Public Safety

Thomas J. Casaburo
Thomas J. Casaburo, Chairman

Corrinne M. Brooks
Corrinne M. Brooks, Member

Robert L. Wire
Robert L. Wire, member

ATTEST:

J. Lawrence Riley
Executive Secretary

I hereby sertify that the foregoing contract was
ratified and approved by the Common Council of the City of
Fort Wayne, Indiana, on _____, 1973.

Charles W. Westerman, Clerk

DIGEST SHEET

J 73-08-02

TITLE OF ORDINANCE An Ordinance Ratifying a Contract . . .DEPARTMENT REQUESTING ORDINANCE Department of Public Safety

SYNOPSIS OF ORDINANCE Ordinance permits City Fire Department to
extend fire protection on a first-response basis to a warehouse at
2425 American Way, outside the corporate limits of Fort Wayne, owned
by American Thread Company, with proper financial reimbursement to
be deposited into the Fort Wayne Fire Fighting Fund, as required
by state law.

EFFECT OF PASSAGE City receives funds for capital expenditure, private
firm outside the City limits receives first response fire protection

EFFECT OF NON-PASSAGE No change, status quo

MONEY INVOLVED (Direct Costs, Expenditures, Savings) Approximately
\$1,800.00 received by City

ASSIGNED TO COMMITTEE (J.N.) FIO LCM

ORDINANCE CHECK-OFF SHEET

INFORMATION REGARDING ORDINANCE

CONTENTS OF ORDINANCE

BILL NO.	<i>L-73-08-02</i>
ORDINANCE NO.	<i>L-87-73</i>
<input checked="" type="checkbox"/> REGULAR SESSION	<i>8-14-73</i>
SPECIAL SESSION	
APPROVED AS TO FORM AND LEGALITY	<i>Keller</i>
BILL WRITTEN BY	<i>Public Safety</i>
DATE INTRODUCED	<i>8-14-73</i>
REFERRED TO SAID STANDING COMMITTEE	<i>Donja</i> <i>Finance</i>
REFERRED TO CITY PLAN	
LEGAL PUBLIC HEARING	
LEGAL PUBLICATION	
JOINT HEARING	
DEPARTMENT HEARING	
HOLD FILE	
<input checked="" type="checkbox"/> PASS	<i>8-28-73</i>
DO NOT PASS	
WITHDRAWN	
SUSPENSION OF RULES	
PRIOR APPROVAL	
ORDINANCE TAKEN OUT OF OFFICE	
OTHER INSTRUCTIONS REGARDING ORDINANCE	
CORRECTIONS MADE TO ORDINANCE	
PEOPLE SPEAKING FOR ORDINANCE	
PEOPLE SPEAKING AGAINST ORDINANCE	

COMMITTEE SHEET
<input checked="" type="checkbox"/> VOTE SHEET
<input checked="" type="checkbox"/> PURCHASE ORDERS
BIDS
ORDERS, BIDS OR OTHER PAPERS TAKEN OUT AND BY WHOM
LETTER REQUESTING ORDINANCE DRAWN UP BY CITY ATTORNEY
COMMUNICATIONS FROM
<i>Protection Fire Contract</i>
ZONING MAPS
ABSTRACTS
TITLES
PRIOR APPROVAL LETTER

Reg used for Action - Original sheet

COUNCILMAN'S VOTE

	AYES	NAYS	ABSENT
BURNS	<input checked="" type="checkbox"/>		
HINGA	<input checked="" type="checkbox"/>		
KRAUS	<input checked="" type="checkbox"/>		
MOSES	<input checked="" type="checkbox"/>		
NUCKOLS	<input checked="" type="checkbox"/>		
D. SCHMIDT	<input checked="" type="checkbox"/>		
V. SCHMIDT	<input checked="" type="checkbox"/>		
STIER	<input checked="" type="checkbox"/>		
TALARIGO	<input checked="" type="checkbox"/>		

COMMENTS: